

Sumter County Contested Hearings Rules of Procedure
Time Limits / Order of Presentation

1. The Applicant will present first.

a. Applicant's initial presentation of the application and supporting evidence will not exceed 60 minutes.

b. Time used by opponents for cross examination will not be counted toward the 60 minute limit. Cross examination shall not exceed 15 minutes.

c. The time limit may be extended by the Board to accommodate questions raised by Board members during the presentation.

2. The Organized opposition shall present second.

a. Groups opposing the application will be allotted 60 minutes. One speaker for each group shall describe each group's membership for standing purposes.

b. Time used by the applicant for cross examination will not be counted toward the 60 minute limit. Cross examination shall not exceed 15 minutes.

c. The time limit may be extended by the Board to accommodate questions raised by Board members during the presentation.

3. The General Public will be heard next both for and against the proposal:

Members of the public shall be limited to 3 minutes each. This time is not transferable to others.

4. The Applicant shall have up to 15 minutes for rebuttal after all opposing testimony has presented.

5. The staff report will be presented next before deliberation by the Board.

6. The board will deliberate last with no further input from any party or the public, except questions or requests for additional information by Board Members.

7. Procedures and Evidence:

a. The provisions of Section 13-218(b)(2)c. of the County LDR's (concerning the requirement for filing of materials at least 5 days prior to the hearing), shall be enforced for the Zoning Advisory Board and County Commission hearings. Any exhibits to be used during the presentations by the Applicant or opposing groups must be filed 5 days prior to the hearing to be considered by the ZAB or Board of County Commissioners. Failure to comply with this rule will result in the exhibit not being accepted into evidence.

b. All evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs shall be admissible into evidence.

c. Evidence that is not relevant, material, or competent or which is unduly repetitious shall be excluded on the motion of a party or the board's own motion.

d. Exhibits may be introduced by any party, however, opposing parties may inspect any exhibit and state objections before the board accepts or rejects an exhibit. This provision is specifically subject to 7.a. above.

e. Cross examination is limited to the scope of the direct testimony.

f. Speakers not included in the 90-minute presentations shall be treated as members of the public and limited to 3 minutes, as noted above.

g. The Board reserves the authority to postpone its final decision to a later date, time and place to be established in the motion to postpone.